



**HEARING ON SPECIAL EXCEPTIONS  
TO THE COMPREHENSIVE CITY ZONING CODE**

**ZONING HEARING EXAMINER'S ACTION SHEET**

TUESDAY, August 18, 2015 9:00 A.M.  
PLAZA DEL SOL HEARING ROOM  
BASEMENT LEVEL  
600 SECOND STREET NW  
(ON THE NORTHEAST CORNER OF 2<sup>ND</sup> STREET AND ROMA NW)

**STAFF**

*Christopher L. Graeser, Esq., Zoning Hearing Examiner*  
*Lorena Patten-Quintana, ZHE Planner*  
*Angel Vallejos, ZHE Administrative Assistant*

\*\*\*\*\*

**For Inquiries Regarding This Agenda, Please Call Planning Dept. at (505) 924-3860.**

\*\*\*\*\*

**PLEASE ADDRESS ALL CORRESPONDENCE TO:**

***Christopher L. Graeser, Esq.***  
***Planning Department***  
***P.O. Box 1293***  
***Albuquerque, NM 87103***

\*\*\*\*\*

**NOTICE TO PEOPLE WITH DISABILITIES:** *If you have a disability and you require special assistance to participate in this hearing, please contact Planning Information at (505) 924-3860.*

\*\*\*\*\*

**INTERPRETER REQUIRED:**

- |                            |                         |   |
|----------------------------|-------------------------|---|
| 1. <b>*IR* 15ZHE-80183</b> | <b>Project# 1010515</b> | <b>ADRIANA ANDREW</b> requests a special exception to Section 14-16-3-19(A)(2)(a) : a VARIANCE of 3 ft 8 in to the 3 ft max height to allow an existing wall in the front setback for all or a portion of Lot 51, Vista Alta Addn zoned R-1, located on <b>5701 ALTA VISTA CT SW</b> (L-11) <b>APPROVAL WITH CONDITIONS OF A VARIANCE OF 3 FT 8 IN TO THE 3 FT MAX HEIGHT TO ALLOW AN EXISITNG WALL IN THE FRONT SETBACK.</b> |
| 2. <b>*IR* 15ZHE-80191</b> | <b>Project# 1010527</b> | <b>SAN JUANA LUNA DE PADILLA</b> requests a special exception to Section 14-16-2-9(B) and 14-16-2-6(B)(14)(a)(2): a CONDITIONAL USE to allow a proposed 5 ft fence in the front yard setback area for all or a portion of Lot 5, Block 6, Casas Serenas Addn zoned R-T, located on <b>416 TENNESSEE ST SE</b> (L-19) <b>APPROVAL OF A CONDITIONAL USE TO ALLOW A PROPOSED 5 FT FENCE IN THE FRONT YARD SETBACK.</b>           |

**OLD BUSINESS:**

3. **\*IR\* 15ZHE-0171**      **Project# 1010497**      **BLANCA GARCIA** requests a special exception to Section 14-16-2-11(E)(4)(a): a VARIANCE request of 8' 6" to the required 15' rear setback to allow a proposed addition for all or a portion of Lot 48A, Block 11, Mesa Verde Addition zoned R-2, located on **8411 CHICO RD NE** (K-19) **APPROVAL OF A VARIANCE OF 8' 6" TO THE REQUIRED 15' REAR SETBACK TO ALLOW A PORPOSED ADDITION.**
4. **15ZHE-80055**      **Project# 1010397**      **ROCHELLE ROBYN ATENCIO** requests a special exception to Section 14-16-2-6(B)(7): a CONDITIONAL USE to allow therapy as a home occupation for all or a portion of Lot 20, Block 17, Desert Terrace Addn. Unit 3 zoned R-1, located on **5020 SAN PEDRO CT NE** (F-18) **DEFERRED UNTIL SEPTEMBER 15, 2015.**
5. **15ZHE-80149**      **Project# 1010473**      **MARK GONZALES & JOSEPH GONZALES** requests a special exception to Section 14-16-2-16(B)(7) : a CONDITIONAL USE for a proposed dwelling in a C-1 Zone on all or portion of Tract one (1) of the plat of Tracts 1 and 2 Lands of Jose E Ortega Estate. for all or a portion of Lot 1, Tract(s) 1, ORTEGA-JOSE E ESTATE zoned C-1, located on **2200 EDNA AV NW** (J13) **APPROVAL WITH CONDITIONS OF A CONDITIONAL USE FOR A PROPOSED DWELLING IN A C-1 ZONE.**
6. **15ZHE-80158**      **Project# 1010486**      **DAVID APODACA** requests a special exception to Section 14-16-2-6(E)(3)(b) and pg 26 North I 25 SDP: a VARIANCE of 5' to the required 10' corner side yard setback for a proposed shade structure for all or a portion of Lot 16 P-1, Block 4, Buena Vista Estates Unit 2 zoned SU-2 RD or SU-2 LMDR, located on **8505 RANCHO SANTA FE PL NE**, (C-18) **DELETED**
7. **15ZHE-80168**      **Project# 1010494**      **TODD E. AND DEBRA L. OWEN (SPAM'S CONSTRUCTION, AGENT)** requests a special exception to Section 14-16-2-14(D) and 14-16-2-6(E)(5)(a): a VARIANCE of 10' to the required 15' rear yard setback for a proposed garage for all or a portion of Lot 16, Block 51, FOUR HILLS VILLAGE SEVENTEENTH INSTALLMENT zoned R-D, located on **1621 CATRON AV SE** (M-23) **DEFERRED UNTIL SEPTEMBER 15, 2015.**

### NEW BUSINESS:

8. **15ZHE-80180**      **Project# 1010507**      **DAVID G MINSTER** requests a special exception to Section 14-16-2-23(A) and 14-16-2-6(B)(12) and pg 25 LA CUEVA SDP : a CONDITIONAL USE to allow a proposed shade structure in the required rear yard setback area for all or a portion of Lot 7-P1, Block 2, La Cuevita Oeste zoned R-D 3DU/A, located on **8424 EAGLE ROCK AVE NE** (C-20) **DENIED.**
9. **15ZHE-80181**      **Project# 1010508**      **ERNEST HERRERA** requests a special exception to Section 14-16-3-3(B)(2)(d) : a VARIANCE of 6 ft 4 in to the 10 ft separation to allow an existing accessory building to be used as a living quarters for all or a portion of Lot 28, Brock Addn zoned R-G, located on **220 SAN LORENZO AVE NW** (G-14) **APPROVAL OF A VARIANCE OF 6 FT 4 IN TO THE 10 FT SEPARATION TO ALLOW AN EXISTING ACCESSORY BUILDING TO BE USED AS A LIVING QUARTERS.**
10. **15ZHE-80182**      **Project# 1010512**      **SCOTT AND MICHELLE OTTERNESS (DAVID MONTOYA, AGENT)** requests a special exception to Section 14-16-2-23(A) and 14-16-2-15(B)(9) and pg 99 NOB HILL HIGHLAND SDP : a CONDITIONAL USE to allow retailing of food and drink to allow existing restaurant with beer & wine license for all or a portion of Lot 24, Block 42, University Heights zoned OR-1, located on **3218 SILVER AVE SE** (K-16) **APPROVAL OF A CONDITIONAL USE TO ALLOW RETAILING OF FOOD AND DRINK TO ALLOW EXISTING RESTAURANT WITH BEER & WINE LICENSE.**

11. 15ZHE-80184      **Project#**      **THE BOARD OF TRUSTEES OF THE NEW MEXICO PIPE TRADES**  
1010518      **(COURTENAY EICHHORST, AGENT)** requests a special exception to  
Section 14-16-3-19(A)(3)(a) : a VARIANCE of 3 ft 8 in to the 3 ft max height  
allowed for a proposed new fence at property line for all or a portion of Lot N  
1/2 of Tract 1 EXC the No 100 ft in Mesa Park Addn, Block 1, Mesa Park  
Addn zoned O-1, located on **411 ARIZONA ST SE (L-18) APPROVAL OF**  
**A VARIANCE OF 3 FT 8 IN TO THE 3 FT MAX HEIGHT ALLOWED FOR A**  
**PROPOSED NEW FENCE AT PROPERTY LINE.**
12. 15ZHE-80185      **Project#**      **THE BOARD OF TRUSTEES OF THE NEW MEXICO PIPE TRADES**  
1010518      **(COURTENAY EICHHORST, AGENT)** requests a special exception to  
Section 14-16-3-19(A)(3)(a) : a VARIANCE of 3 ft 8 in to the 3 ft max height  
allowed for a proposed new fence at property line for all or a portion of Lot  
A1B, Block 1, Mesa Park Addn zoned O-1, located on **421 ARIZONA ST**  
**SE (L-18) APPROVAL WITH CONDITIONS OF A VARIANCE OF 3 FT 8 IN**  
**TO THE 3 FT MAX HEIGHT ALLOWED FOR A PROPOSED NEW FENCE**  
**AT PROPERTY LINE.**
13. 15ZHE-80186      **Project#**      **TOREY MEES/HILLS OPERATION, LLC (SITE ENHANCEMENT**  
1010519      **SERVICES, AGENT)** requests a special exception to Section 14-16-2-23(A)  
and pg 103, General Regulations, Signage, (1)(D)(1) NOB HILL HIGHLAND  
SDP : a VARIANCE of 9 in to the maximum letter height of 18 in allowed for  
a proposed sign for all or a portion of Lot 1-6, Block 33, Valley View Addn  
zoned CCR-3, located on **4910 CENTRAL AVE SE (K-17) APPROVAL OF**  
**A VARIANCE OF 9 IN TO THE MAXIMUM LETTER HEIGHT OF 18 IN**  
**ALLOWED FOR A PROPOSED SIGN.**

\*\*\*\*\***LUNCH BREAK**\*\*\*\*\*

**HEARING WILL RESUME PROMPTLY**  
**AT 1:30 P.M. WITH ITEM #14**

**IF YOU ARE AGENDA ITEMS #14-20**

**PLEASE COME TO THE HEARING AT 1:30 P.M.**

14. 15ZHE-80187      **Project#**      **JOE A GARCIA (AUSTINS CARPORTS, AGENT)** requests a special  
1010522      exception to Section 14-16-2-6(B)(3) : a CONDITIONAL USE to allow a  
proposed carport in the front setback area for all or a portion of Lot 11, Block  
9, Carlisle Plaza Addn zoned R-1, located on **3307 SIERRA DR NE (G-17)**  
**APPROVAL OF A CONDITIONAL USE TO ALLOW A PROPOSED**  
**CARPORT IN THE FRONT SETBACK.**
15. 15ZHE-80189      **Project#**      **MASADA, LLC (JOHN KOEHLER, AGENT)** requests a special exception  
1010524      to Section 14-16-3-24(A)(2) : a VARIANCE of 5200 ft to the required 5280 ft  
to allow a proposed small loan business for all or a portion of Lot 1, Block B,  
Towner Addn zoned C-2 or SU-2NFTOD, located on **2501 4TH ST NW (H-**  
**14) DENIAL OF A VARIANCE OF 5200 FT TO THE REQUIRED 5280 FT**  
**TO ALLOW A PROPOSED SMALL LOAN BUSINESS.**
16. 15ZHE-80190      **Project#**      **MB PROPERTIES** requests a special exception to Section 14-16-3-  
1010526      19(A)(2)(a) and pg 70-71 UNIVERSITY NEIGHBORHOOD SDP : a  
VARIANCE of 3 ft to the 3 ft max height allowed for a proposed 6 ft fence in  
the front setback area for all or a portion of Lot 2A, Block 51, Terrace Addn  
zoned SU-2 DR, located on **1512 GOLD AVE SE (K-15) APPROVAL OF A**  
**VARIANCE OF 3 FT TO THE 3 FT MAX HEIGHT ALLOWED FOR A**  
**PROPOSED 6 FT FENCE IN THE FRONT SETBACK.**

17.    **15ZHE-80192**            **Project#**    **BOBBY N. MARTINEZ** requests a special exception to Section 14-16-2-14(E)(1) and 14-16-2-6(B)(1): a CONDITIONAL USE to allow a proposed accessory living quarters for all or a portion of Lot 8-P1,    Ridgefield North Unit 2        zoned R-D, located on **9131 MACALLAN RD NE** (D-20) **APPROVAL OF A CONDITIONAL USE TO ALLOW A PROPOSED ACCESSORY LIVING QUARTERS.**
18.    **15ZHE-80193**            **Project#**    **DANIEL WEEKS** requests a special exception to Section 14-16-2-23(A) and pg 93, (D)(4)(a), DOWNTOWN NEIGHBORHOOD AREA SDP : a VARIANCE of 3 ft to the required 5 ft setback required a proposed secondary dwelling for all or a portion of Lot 255, Block 22, Armijo-Perfecto & Brothers    zoned SU-2 DNA-SF, located on **704 SLATE AVE NW** (J-14) **APPROVAL OF A VARIANCE OF 3 FT TO THE REQUIRED 5 FT SETBACK REQUIRED FOR A PROPOSED SECONDARY DWELLING.**
19.    **15ZHE-80194**            **Project#**    **DANIEL WEEKS** requests a special exception to Section 14-16-2-23(A) and pg 93,(D)(3) DOWNTOWN NEIGHBORHOOD AREA SDP : a VARIANCE of 4 ft to the required 10 ft of separation for a proposed new dwelling for all or a portion of Lot 255, Block 22, Armijo-Perfecto & Brothers    zoned SU-2 DNA-SF, located on **704 SLATE AVE NW** (J-14) **APPROVAL WITH CONDITIONS OF A VARIANCE OF 4 FT TO THE REQUIRED 10 FT OF SEPARATION FOR A PROPOSED NEW DWELLING.**